

Remarks

Claims 1-8, 14-15 and 17-21 were pending.

Claims 2-8, 20 and 21 are canceled.

Claims 1, 14, 15 and 17 are amended.

Claims 1, 14, 15 and 17-19 are now pending.

The claims are amended to be limited to where the phosphonate is the compound of formula (IV) (IRGAMOD 195) and the bis-acyllactam is dodeca hydro-1,1'-carbonyl-bis-azepin-2-one (N,N'-carbonylbiscaprolactam). Support is found on page 48, lines 15-17. U.S. published application No. 2010/0036083, para. [0118] identifies IRGAMOD 195 as present compound of formula (IV). The claims are also amended to limit the polycondensate to polyethylene terephthalate.

Claim 17 is amended to state that the ratio is a weight ratio. This is clear from the disclosure, page 32, line 17 through page 33, line 2.

No new matter is added.

Claims 1-5, 8, 14, 15 and 17-21 are rejected under 35 USC 103(a) as being unpatentable over Pfaendner, et al., U.S. Pat. No. 6,028,129 in view of Loontjens, et al., U.S. Pat. No. 6,395,869.

Pfaendner is cited as disclosing polyester melt compounded with a phosphonate.

Loontjens is cited as teaching bislactam compounds useful for increasing the molecular weight of a polyamide or polyester.

To rebut these rejections, Applicants point to the surprising results of the working Examples. The present claims are now limited to the results of the working Examples discussed herein. Please see the Examples on pages 48-49. IRGAMOD 195 is a phosphonate of present formula (IV). ALLINCO is the presently claimed bis-acyllactam. The compounds separately and together are melt

compounded with polyethylene terephthalate. The b* (yellow) value of the pellets containing 0.3% ALLINCO is 5.3. The b* value of the pellets containing 0.1% IRGAMOD 195 is 2.1. Surprisingly, the b* value of the pellets containing 0.3% ALLINCO and 0.1% IRGAMOD 195 is -0.2. Rather than increasing the yellowing of the pellets, the combination unexpectedly lowers the yellow value. These results are surprising and unexpected.

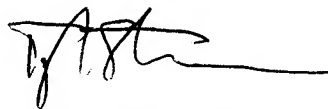
In view of the unexpected superior color achieved with the present combination of additives, Applicants submit that these rejections are addressed and are overcome.

The Examiner is kindly requested to reconsider and to withdraw the present rejections.

Applicants submit that the present claims are now in condition for allowance and respectfully request that they be found allowable.

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Respectfully submitted,



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Attachment: Petition for a 1 month extension of time